

U.S. Patent Application Serial No. 10/534,786  
Amendment dated June 5, 2007  
Reply to Office Action of March 5, 2007

RECEIVED  
CENTRAL FAX CENTER

JUN 05 2007

### REMARKS

This is in response to the Office Action mailed on March 5, 2007 in which claims 1-7 and 14-17 were rejected and claims 8-13 were objected to. With this Amendment, claims 1, 8 and 17 have been amended and new claims 18-20 have been added. No new matter is added by the amendments or new claims, which are fully supported by the specification and drawings. Claims 1-20 are pending in this application.

### Claim Amendment

With this Amendment, claim 8 has been amended to depend from claim 6 in order to provide proper antecedent basis for the phrase "the resiliently flexible member." No new matter is added with this Amendment.

### 35 U.S.C. §112

Claim 17 was rejected under 35 U.S.C. §112, second paragraph, for lacking antecedent basis. With this Amendment, claim 17 has been amended to depend from claim 16 as suggested in the Office Action. Therefore, withdrawal of this rejection is respectfully requested.

It is noted that the Amendments to claims 8 and 17 were not made to overcome an art based rejection, and so should not be construed in a limiting manner.

### 35 U.S.C. §102 and §103

Claims 1-4, 6, 7 and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by Coppess (U.S. Patent No. 4,580,555). In addition, claims 5 and 15-17 are rejected under 35 U.S.C. §103(a) as being obvious over Coppess. With this Amendment, claim 1 has been amended. Applicant respectfully traverses the rejection.

Coppess discloses a single apparatus for bracing the pelvis and legs of a patient. The apparatus comprises a pad (1) containing stiffening slats or staves (9) that run along the length of the legs and pelvis of a patient (see FIG. 4). Flap portions (17) of the pad (1) brace or tamponade

U.S. Patent Application Serial No. 10/534,786  
Amendment dated June 5, 2007  
Reply to Office Action of March 5, 2007

the pelvic region of the patient and comprise stiffening slats (21). See, col. 2, lines 36-46. Strap means 39 comprises pairs of belts (43) that are sewn to the ends of the flaps (17) and have adjustable male and female snap-connectors (45 and 47) that allow the belts (43) to be adjusted to a desired length. See, col. 3, lines 3-6 and FIGS. 3 and 4. In addition, flaps (27) of the pad (1) individually brace each leg of the patient via straps (49) and (53) that are also sewn to the pad (1) (see paragraph starting at line 14 of column 3).

In the situation where one or two of the three belts (43) are released, the flap portion (17) of the pad (1), and in particular the slats (21) are retained on the pelvic region which extends across the back and around the sides of the pelvic region of the patient. In this situation flap (17) prevents access to the pelvic region of a patient.

In addition, the belts (43) are permanently attached by sewing to pad (1) and as a result, the belts (43) themselves do not extend completely around the pelvic region of a patient. A consequence of this structure is that when only one of the belts (43) are secured in position, then the entire pad (1) and slats (21) of flap (17) are retained in position -- which prevents full access to the pelvic region.

Similarly, in the situation where all of the belts (43) are released and any one or more of the straps (49) for bracing the patient's legs are retained in position, the upper end of the pad (1) for bracing the pelvic region of the patient will also prevent full access to the back of the pelvic region of the patient.

In contrast, claim 1 is directed to a device for bracing the pelvic region that includes continuous straps for wrapping completely around the pelvic region of a patient. The belts (43) disclosed in Coppess are used to connect flaps 17 together, but are not continuous straps for wrapping completely around the pelvic region of a patient. This difference is important because when, for example, an upper strap of the device is released, full access is provided to the front, side and back of the patient in the region of the released strap, which allows a physician to examine and make incisions as required to the entire pelvic region.

U.S. Patent Application Serial No. 10/534,786  
Amendment dated June 5, 2007  
Reply to Office Action of March 5, 2007

In addition, the device in Coppess includes a pad (1) having stiffening slats (21) that prevent access to the pelvic region of the patient unless all of the belts (43) are released. On the other hand, the claimed device includes individual straps that can, one at a time, be released to provide access to the pelvis of the patient in the region of the strap released. This is not possible with the Coppess device.

In addition, another advantage of some embodiments of the claimed invention is that the straps can be selectively released to provide a physician access to the pelvic region of the patient while retaining one or more straps in position to minimize internal bleeding by bracing a broken pelvis. One of the problems with the device disclosed in Coppess is that access to the pelvic region can only be provided by releasing all of the straps (43) which negates one objective of some embodiments of minimizing the risk of fatal internal bleeding in the event of a broken pelvis. See, col. 3, lines 10-19 of the present application.

Therefore, claim 1 is in condition for allowance. In addition, claims 2-17 depend from claim 1 and are also allowable. Reconsideration and withdrawal of the rejections is respectfully requested.

#### **Claim Objections and New Claims**

Claims 8-13 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form. As described above, claim 8 has been amended to provide proper antecedent basis for the phrase "the resiliently flexible member." Claims 8-13 ultimately depend from claim 1. Claim 1 is allowable for at least the reasons discussed herein. Therefore, claims 8-13 are also allowable. Reconsideration and withdrawal of the objection to claims 8-13 is requested.

With this Amendment, new claims 18-20 are added. Claim 18 recites the elements of claim 8, and is therefore allowable. In addition, claims 19-20 depend from claim 18, and are also allowable. Notice to that effect is respectfully requested.

**JUN 05 2007**

U.S. Patent Application Serial No. 10/534,786  
Amendment dated June 5, 2007  
Reply to Office Action of March 5, 2007

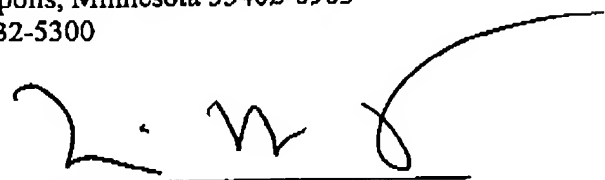
**CONCLUSION**

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: June 5, 2007

  
\_\_\_\_\_  
Brian H. Batzli, Reg. No. 32,960  
BHB/BAT:bog